

County of Loudoun
Department of Planning
MEMORANDUM

DATE: January 8, 2009
TO: Loudoun County Planning Commission
FROM: Stephen Gardner, Project Manager S.G.
SUBJECT: January 15, 2009 Committee of the Whole
Equinix Data Center; ZMAP 2008-0013 & SPEX 2008-0041

BACKGROUND:

The Planning Commission held a public hearing on this application on December 18, 2008; no members of the public spoke for or against the proposal. The Planning Commission discussed the architectural design of the building and the appropriate role this application should play in regional transportation improvements, notably the installation of a signal at the Loudoun County Parkway / Beaumeade Circle South intersection. To allow further discussion regarding the outstanding issues, the Commission voted 7-0-2 (Maio, Syska – absent) to forward the application to the Committee of the Whole.

The following issues were identified by staff as outstanding at the Public Hearing. A current status of each is included in bold type face:

1. **Demonstrate that proposed structures are architecturally compatible with adjoining properties related to height and mass.** The Applicant has agreed to limit the height of any building on the site to seventy-five feet (75'). Even with such a restriction, buildings on site could realize a mass and scale inconsistent with the existing development pattern of the area, particularly given the identification of an "area of building expansion, parking and loading" located between and around the structures. As a result and in response to concerns articulated by the Commission at the Public Hearing, the Applicant has revised the "SOUTH ELEVATION," that visible from Waxpool Road, to include additional building materials, articulation, and variations in color. The Applicant has further agreed to include language within the Proffer Statement, now dated January 8, 2009, requiring substantial conformance to such. Given the restriction of height and the commitments to a more visually interesting architectural design, Staff is comfortable that the issue of compatibility has been resolved. ***Issue Status: Resolved.***

2. **The installation of a traffic signal at the intersection of Loudoun County Parkway and Beaumeade Circle South.** The intersection of Loudoun County Parkway and Beaumeade Circle South is currently operating at a failing Level of Service (LOS). Per the LOS Standards Policy in the Revised Countywide Transportation Plan, "Land development will only occur along roads that currently function at Level of Service 'D' or better...or, alternatively, development may occur where the developer provides the improvements...in a timely manner such that the LOS service does not fall below LOS 'D.'" Consequently, Staff recommends the Applicant provide funding for the construction of a traffic signal at this intersection. **Issue Status: Outstanding; the Applicant maintains a preference for a fair share contribution towards the signal as opposed to installation. In their memorandum to the Commission, dated January 8, 2009, the Applicant has suggested language to this effect. If the Commission opts for the fair share approach, Staff is comfortable with this language. However, Staff maintains the recommendation that the signal be fully funded or installed.**
3. **The Applicant has not agreed to the Fire and Rescue Contribution.** The Applicant has agreed to a Fire and Rescue Contribution consistent with Board policy. Documentation of such is included as Attachment 9. **Issue Status: Resolved.**
4. **The Proffer Statement and Conditions of Approval have not been approved to legal form.** Both the Proffer Statement and the Conditions of Approval have been revised in response to a review by the Department of Building and Development. Conditions related to energy consumption, water consumption, bicycle/shower facilities, and energy monitoring have been removed as such provisions assume a specific use; the application is not for a specific use but rather an increase in Floor Area Ratio (FAR). Staff further notes that conditions related to land use and building height have been removed and included as part of the Proffer Statement. **Issue Status: Resolved; staff notes that a legal review is outstanding but will be completed prior to final action by the Board.**

STAFF RECOMMENDATION:

Staff is able to recommend approval of this application, given that the issue related to the installation of a traffic signal at the intersection of Loudoun County Parkway and Beaumeade Circle south is resolved.

SUGGESTED MOTION:

1. I move that the Planning Commission forward ZMAP 2008-0013 & SPEX 2008-0041, Equinix Data Center, to a subsequent Committee of the Whole meeting for further discussion.

OR,

- 1a. I move that the Planning Commission forward ZMAP 2008-0013, Equinix Data Center, to the Board of Supervisors with a recommendation of approval, subject to the Proffer Statement dated January 8, 2009 with the attached Findings for approval.

AND,

- 1b. I move that the Planning Commission forward SPEX 2008-0041, Equinix Data Center, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated January 15, 2009, and with the attached Findings for Approval.

OR,

2. I move an alternate motion.

ATTACHMENTS:

1. Vicinity Map
2. Findings for Approval
3. SPEX Conditions of Approval; dated January 15, 2009
4. SPEX Conditions of Approval (Red-line Version); dated January 15, 2009
5. Proffer Statement; dated January 8, 2009
6. Proffer Statement (Red-line Version); dated January 8, 2009
7. Applicant Response Letter; dated January 8, 2009
8. Applicant Planning Commission Public Hearing PowerPoint presentation
9. Applicant Letter related to Fire & Rescue Contribution; dated December 16, 2008
10. Concept Development Plan / Special Exception Plat; dated June 10, 2008, revised January 6, 2009 (attached)

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VICINITY MAP



Directions:

From Leesburg, take Route 7 east to Loudoun County Parkway. Follow Loudoun County Parkway south to Beaumeade Circle South. Turn right onto Beaumeade Circle South. Follow Beaumeade Circle South to Filigree Court. Turn left onto Filigree Court. The subject property will be on the right.

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FINDINGS FOR APPROVAL

1. The application has provided commitments to architectural features and a restriction in height which will ensure compatibility to surrounding properties regarding building design, massing, and scale.
2. The application complies with the requirements of the Revised 1993 Loudoun County Zoning Ordinance.
3. Given that the existing Floor Area Ratio (FAR) for the light-industrial community (i.e. Beaumeade Corporate Park) does not exceed 0.4, the request to increase the FAR on the site to 0.6 is consistent with the Revised General Plan.

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SPEX CONDITIONS OF APPROVAL – January 15, 2009

1. **Substantial Conformance** – This Special Exception shall be developed in substantial conformance to the “EQUINIX 100% DATA CENTER USE AND COMMERCIAL OFFICE / WAREHOUSE / FLEX INDUSTRIAL” Plat, Sheets 1 of 6 and 4 of 6, dated June 10, 2008, revised to January 6, 2009, and prepared by Patton Harris Rust & Associates. Approval of this application does not relieve the applicant of any Zoning Ordinance, Codified Ordinance, or any other requirement.
2. **Multi-Use Trail** – The five (5) foot wide asphalt trail located along Filigree Court and Beaumeade Circle shall be maintained in good condition.
3. **Civic Area** – The area designated on the Special Exception Plat as “Proposed Civic Area” shall be constructed concurrent with the construction of Building B. The “Proposed Civic Area” is in addition to the area designated as “Existing Civic Area.” Both the “Proposed Civic Area” and the “Existing Civic Area” shall be maintained in good condition. The “Proposed Civic Area” shall include, at a minimum, four (4) benches and one bike rack. Each bench shall accommodate a minimum of two persons, and the bike rack shall accommodate a minimum of four (4) bikes. Landscaping shall be installed within the “Proposed Civic Area” and shall include planting of canopy trees with an aggregate minimum trunk caliper of thirty-six inches (36”), at the time of installation, and in no case fewer than four trees. The foregoing landscaping shall be in addition to any other landscaping required as part of landscaping required by the Revised 1993 Loudoun County Zoning Ordinance. Interior landscaping, Buffers, Buffer Yards, and Screening shall be in substantial accordance with the Revised 1993 Loudoun County Zoning Ordinance and the Special Exception plat dated June 10, 2008, revised to January 6, 2009, and prepared by Patton Harris Rust & Associates.
4. **Carpool Parking** – The Applicant shall reserve, through the use of clearly visible signs, two parking spaces near an entrance to each building for employees who carpool. The signs will be installed prior to the issuance of an occupancy permit for the construction of Building B or for any building expansion for Buildings A, C, D/E, or F.
5. **Fire Rescue Inspection** – Prior to the issuance of an occupancy permit for Building B or for any building expansion for Buildings A, C, D/E, or F, the Applicant shall coordinate with the appropriate representatives from the Department of Fire, Rescue and Emergency Management to arrange an on-site visit and inspection of the facility. Such an inspection is intended to review fire protection systems and ensure access is available to emergency first responders after the facility is operational. Prior to the issuance of an occupancy permit, the Applicant shall submit documentation that the Department of Fire, Rescue and Emergency Management is satisfied that the fire protection system ensures access to emergency first responders.

6. **Mechanical Equipment Screening** – Mechanical equipment (i.e. generators, chilling plants, etc.) and dumpsters shall be screened from adjacent properties. Screening methods shall include, but not be limited to, a fence or wall of similar construction to the buildings on site, landscaping, or by a building on site.
7. **Exterior Lighting** – Any additional lighting installed to accommodate the facility shall be fully shielded as defined by the Illuminating Engineering Society of North America (IESNA). Light shall be directed inward and downward toward the interior of the property, away from nearby properties.
8. **Traffic Signal** – Prior to the issuance of the zoning permit for the construction of Building B, or prior to the issuance of the zoning permit which causes construction within the “area of possible building expansion, parking, and loading” and/or within the current footprint of Buildings A, C, D/E, and/or F, whichever is first in time, to exceed 100,000 square feet if warranted by the Virginia Department of Transportation (VDOT), the Applicant shall install a traffic signal at the intersection of Loudoun County Parkway and Beaumeade Circle South. The traffic signal shall be built pursuant to the specifications set forth by VDOT. If warrants for the signal have not been met or VDOT has not authorized the installation of a signal prior to the issuance of the zoning permit triggering the installation of the signal, as set forth above, the Applicant shall contribute \$300,000.00 to the County prior to or in conjunction with issuance of such permit. This contribution shall escalate annually from the base year of 2009 and shall be adjusted effective each January 1st thereafter, based on the Consumer Price Index for All Urban Consumers (CPI-U) 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.

Note: The applicant has agreed to contribute \$.10 per square foot of development to the servicing Fire and Rescue Company. The contribution shall be divided equally for fire and rescue services. The \$0.10 per square foot contribution will escalate annually based on the Consumer Price Index (base year of 1988) in accordance with Board policy and contributions shall be made before issuance of zoning permits for phased development of the project.

SPEX CONDITIONS OF APPROVAL – ~~December 11, 2008~~ January 15, 2009

1. **Substantial Conformance** – This Special Exception shall be developed in substantial conformance to the “EQUINIX 100% DATA CENTER USE AND COMMERCIAL OFFICE / WAREHOUSE / FLEX INDUSTRIAL,” Plat, Sheets 1 of 6 and 4 of 6, dated June 10, 2008, revised to ~~December 2, 2008~~ revised to January 6, 2009, and prepared by Patton Harris Rust & Associates. Approval of this application does not relieve the applicant of any Zoning Ordinance, Codified Ordinance, or any other requirement.
- ~~2. **Land Use** – The following by-right uses shall not be permitted: a. post office; b. commuter parking lot; c. bank or financial institution; and d. health and fitness center. Any by-right use noted above currently located on the site shall be permitted as a legally conforming use but shall not be permitted to expand beyond the current footprint. If such use is discontinued, it shall not be permitted subsequently. The Applicant shall limit the development of commercial office uses on the Property to a maximum of eighteen percent (18%) or 150,000 gross square feet.~~
- ~~3.2. **Multi-Use Trail** – The five (5) foot wide asphalt trail located along Filigree Court and Beaumeade Circle shall be maintained in good condition.~~
- ~~4. **Building Height** – To ensure compatibility with adjoining properties, no building or structure on site shall exceed a maximum height of seventy-five feet (75').~~
- ~~5.3. **Civic Area** – The area designated on the Special Exception Plat as “Proposed Civic Area” shall be constructed concurrent with the construction of Building B. The “Proposed Civic Area” is in addition to the area designated as “Existing Civic Area.” Both the “Proposed Civic Area” and the “Existing Civic Area” shall be maintained in good condition. The “Proposed Civic Area” shall include, at a minimum, four (4) benches and one bike rack. Each bench shall accommodate a minimum of two persons, and the bike rack shall accommodate a minimum of four (4) bikes. Landscaping shall be installed within the “Proposed Civic Area” and shall include planting of canopy trees with an aggregate minimum trunk caliper of thirty-six inches (36”), at the time of installation, and in no case fewer than four trees, a minimum of sixteen (16) canopy trees. The foregoing landscaping shall be in addition to any other landscaping required as part of landscaping required by the Revised 1993 Loudoun County Zoning Ordinance. Interior landscaping, Buffers, Buffer Yards, and Screening shall be in substantial accordance with the Revised 1993 Loudoun County Zoning Ordinance and the Special Exception plat dated June 10, 2008, revised to ~~October 30, 2008~~, resvised to January 6, 2009, and prepared by Patton Harris Rust & Associates.~~
- ~~6.4. **Carpool Parking** – The Applicant shall reserve, through the use of clearly visible signs, two parking spaces near an entrance to each building for employees who carpool. The signs will be installed prior to the issuance of an occupancy permit for~~

the construction of Building B or for any building expansion for Buildings A, C, D/E, or F.

- 75. Fire Rescue Inspection** – Prior to the issuance of an occupancy permit for Building B or for any building expansion for Buildings A, C, D/E, or F, the Applicant shall coordinate with the appropriate representatives from the Department of Fire, Rescue and Emergency Management to arrange an on-site visit and inspection of the facility. Such an inspection is intended to review fire protection systems and ensure access is available to emergency first responders after the facility is operational. Prior to the issuance of an occupancy permit, the Applicant shall submit documentation that the Department of Fire, Rescue and Emergency Management is satisfied that the fire protection system ensures access to emergency first responders.
- 86. Mechanical Equipment Screening** – Mechanical equipment (~~including~~ i.e. generators, ~~and~~ chilling plants, etc.) and dumpsters shall be screened from adjacent properties. Screening methods shall include, but not be limited to, a fence or wall of similar construction to the buildings on site, landscaping, or by a building on site.
- 97. Exterior Lighting** – Any additional lighting installed to accommodate the facility shall be fully shielded as defined by the Illuminating Engineering Society of North America (IESNA). Light shall be directed inward and downward toward the interior of the property, away from nearby properties.
- ~~10. **Energy Consumption** – To mitigate the increase in energy demand caused by the enlarged floor-area ratio, the applicant shall demonstrate through Option 1 of Energy and Atmosphere Credit 1 in the Leadership in Energy and Environmental Design (LEED) for New Construction Technical Reference Manual, an energy efficiency gain of 21 percent for new building areas or 14 percent for existing building renovations. The building simulation (model), comparing baseline building performance with proposed building performance, shall be provided to the Department of Building and Development prior to site plan approval. This building simulation (model) will verify the energy efficiency improvements.~~
- ~~11. **Water Consumption** – Water efficient plumbing fixtures shall be installed within all new building areas. Specifically, all urinals, toilets, and shower heads shall use less water than that required by Table 604.4 of the International Plumbing Code, (i.e. 1.6 gallons per flush and 2.5 gallons per minute at 80 pounds per square inch).~~
- ~~12. **Bicycle/Shower Facilities** – To promote bicycle transportation, the office component of the project shall provide changing/shower facilities for 0.5% of full time employees, consistent with Site Sustainability Credit 4.2 in the Leadership in Energy and Environmental Design (LEED) for New Construction Technical Reference Manual.~~

~~13. **Energy Monitoring** – The Applicant shall utilize energy accounting software to track energy consumed by the data center use. Reports generated by the software, including energy consumed on a monthly basis, shall be provided to the Department of Building Development annually, starting 1 year after occupancy of any new or renovated data center space. The intent of the condition is to verify that the applicant is monitoring energy demands caused from the data center use and has the information to make adjustments to improve energy efficiency.~~

14.8. Traffic Signal – Prior to the issuance of the zoning permit for the construction of Building B, or prior to the issuance of ~~a~~ the zoning permit ~~for an~~ which causes construction within the “area of possible building expansion, parking, and loading” and/or within the current footprint of Buildings A, C, D/E, and/or F ~~expansion area, whichever is first in time, to exceed~~ greater than 100,000 square feet if warranted by the Virginia Department of Transportation (VDOT), the Applicant shall install a traffic signal at the intersection of Loudoun County Parkway and Beaumeade Circle South. The traffic signal shall be built pursuant to the specifications set forth by VDOT. If warrants for the signal have not been met or VDOT has not authorized the installation of a signal prior to the issuance of ~~zoning permits for greater than 100,000 square feet of expansion,~~ the zoning permit triggering the installation of the signal, as set forth above, the Applicant shall contribute \$300,000.00 to the County prior to or in conjunction with issuance of such permit. ~~reaching said zoning limit.~~ This contribution shall escalate annually from the base year of 2008~~9~~ and shall be adjusted effective each January 1st thereafter, based on the Consumer Price Index for ~~a~~ All ~~u~~ Urban ~~e~~ Consumers (CPI-U) 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.

Note: The applicant has agreed to contribute \$.10 per square foot of development to the servicing Fire and Rescue Company. The contribution shall be divided equally for fire and rescue services. The \$0.10 per square foot contribution will escalate annually based on the Consumer Price Index (base year of 1988) in accordance with Board policy and contributions shall be made before issuance of zoning permits for phased development of the project.

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PROFFER STATEMENT
EQUINIX R P II LLC
ZMAP 2008-0013
January 8, 2009

Equinix R P II LLC, the owner of the property described as Parcel 5 on Loudoun County Tax Map 80((7)), Parcel 5 (MCPI 061-48-3407) (the "Property"), on behalf of themselves and their successors in interest, hereby voluntarily proffer that in the event the Property is rezoned by the Loudoun County Board of Supervisors to the PD-IP Planned Development-Industrial Park zoning district administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Development Plan dated June 10, 2008 revised through October 6, 2008, the development of the Property shall be in substantial conformance with the following proffer conditions, pursuant to Section 15.2-2303 of the CODE OF VIRGINIA (1950) as amended. These proffer conditions are the only conditions offered on this rezoning, and any prior proffer conditions applicable to the Property are hereby declared void and of no effect provided that these proffers shall become effective only upon final approval of the Zoning Map Amendment application, ZMAP 2008-0013 requesting to change the zoning of the Property from PD-IP zoning district under the 1972 Zoning Ordinance to the PD-IP zoning district under the Revised 1993 Zoning Ordinance, submitted by the owner.

1. The development of the Property shall be in substantial conformance with the Concept Development Plan, Sheet 5 of the plan set entitled "Zoning Map Amendment and Special Exception for Equinix", dated June 10, 2008, revised through January 6, 2008 prepared by Patton Harris Rust & Associates. All requirements and use limitations of the PD-IP zoning district of the Revised 1993 Zoning Ordinance, to include any future Zoning Ordinance amendments must be compiled with and will take precedence over the Concept Development Plan.
2. No more than eighteen percent (18%) of the total allowable gross floor area on the property or 150,000 gross square feet, which is greater, shall be commercial office.
3. The following uses shall not be developed on the property: commuter parking lot, bank/financial institution and health club/fitness center that is not accessory to the data center or office uses on the property.
4. The materials, design and appearance of any data center building over forty-five (45) feet in height constructed on the property shall be in substantial conformance with the "typical data center illustrative building elevation" included as sheet 6 of 6 of the Equinix Special Exception Plat dated June 10, 2008 revised through December 16, 2008. For any other non-data center building over forty-five (45) feet in height constructed on the property, such building shall incorporate the architectural concepts of varied heights and

varied colors and shall use the materials and textures as generally reflected in the same said Sheet 6 of 6. Architectural drawings demonstrating conformance with this proffer shall be submitted to the Department of Community Planning for review prior to the issuance of the Zoning Permit for each such building.

5. No building or structure on site shall exceed a maximum height of seventy-five feet (75'), inclusive of rooftop mechanical equipment (i.e. generators, chilling plants, etc.). Rooftop mechanical equipment shall be screened by a wall or enclosure of similar construction.

SIGNATURES ON NEXT PAGE

The undersigned hereby warrants that all the owners of any legal interest in the Property have signed this proffer statement, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the other owners affixing their signatures hereto, and that the foregoing proffers are entered into voluntarily.

Equinix R P II LLC

By: _____
Signature

Name: _____

Title: _____

Date: _____

County of Loudoun,
Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that _____, as _____ of Equinix R P II LLC, whose name is signed to the foregoing instrument, has acknowledged the same before me.

Subscribed and sworn to before me this _____ day of _____ 2009.

My Commission Expires:

Date

Notary Public

Notary Registration Number: _____

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PROFFER STATEMENT
EQUINIX R P II LLC
ZMAP 2008-0013
~~December 2, 2008~~
January 8, 2009

Equinix R P II LLC, the owner of the property described as Parcel 5 on Loudoun County Tax Map 80((7)), Parcel 5 (MCPI 061-48-3407) (the "Property"), on behalf of themselves and their successors in interest, hereby voluntarily proffer that in the event the Property is rezoned by the Loudoun County Board of Supervisors to the PD-IP Planned Development-Industrial Park zoning district administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Development Plan dated June 10, 2008 revised through October 6, 2008, the development of the Property shall be in substantial conformance with the following proffer conditions, pursuant to Section 15.2-2303 of the CODE OF VIRGINIA (1950) as amended. These proffer conditions are the only conditions offered on this rezoning, and any prior proffer conditions applicable to the Property are hereby declared void and of no effect provided that these proffers shall become effective only upon final approval of the Zoning Map Amendment application, ZMAP 2008-0013 requesting to change the zoning of the Property from PD-IP zoning district under the 1972 Zoning Ordinance to the PD-IP zoning district under the Revised 1993 Zoning Ordinance, submitted by the owner.

1. The development of the Property shall be in substantial conformance with the Concept Development Plan, Sheet 5 of the plan set entitled "Zoning Map Amendment and Special Exception for Equinix", dated June 10, 2008, revised through ~~December 2, January 6, 2008~~ prepared by Patton Harris Rust & Associates. All requirements and use limitations of the PD-IP zoning district of the Revised 1993 Zoning Ordinance, to include any future Zoning Ordinance amendments must be compiled with and will take precedence over the Concept Development Plan.
2. No more than eighteen percent (18%) of the total allowable gross floor area on the property or 150,000 gross square feet, which is greater, shall be commercial office.
3. The following uses shall not be developed on the property: commuter parking lot, bank/financial institution and health club/fitness center that is not accessory to the data center or office uses on the property.
4. The materials, design and appearance of any data center building over forty-five (45) feet in height constructed on the property shall be in substantial conformance with the "typical data center illustrative building elevation" included as sheet 6 of 6 of the Equinix Special Exception Plat dated June 10, 2008 revised through December 16, 2008. For any other non-data center building over forty-five (45) feet in height constructed on the property, such building shall incorporate the

architectural concepts of varied heights and varied colors and shall use the materials and textures as generally reflected in the same said Sheet 6 of 6. Architectural drawings demonstrating conformance with this proffer shall be submitted to the Department of Community Planning for review prior to the issuance of the Zoning Permit for each such building.

5. No building or structure on site shall exceed a maximum height of seventy-five feet (75'), inclusive of rooftop mechanical equipment (i.e. generators, chilling plants, etc.). Rooftop mechanical equipment shall be screened by a wall or enclosure of similar construction.

SIGNATURES ON NEXT PAGE

The undersigned hereby warrants that all the owners of any legal interest in the Property have signed this proffer statement, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the other owners affixing their signatures hereto, and that the foregoing proffers are entered into voluntarily.

Equinix R P II LLC

By: _____
Signature

Name: _____

Title: _____

Date: _____

County of Loudoun,
Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that _____, as _____ of Equinix R P II LLC, whose name is signed to the foregoing instrument, has acknowledged the same before me.

Subscribed and sworn to before me this _____ day of _____
~~2008-2009.~~

My Commission Expires:

Date

Notary Public

Notary Registration Number: _____

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January 8, 2009

Chairperson Tolle and Members of the Planning Commission
1 Harrison Street, SE
Leesburg, VA 20175

RE: Response to Discussion at 12/18 Public Hearing for Equinix Data Center

Dear Chairperson Tolle and Members:

The purpose of this letter is to update you on the work undertaken regarding the Equinix ZMAP and SPEX applications subsequent to the December 18, 2008 Planning Commission hearing and in preparation for the January 15, 2009 Committee of the Whole meeting.

Architecture

As a result of the discussion at the December hearing regarding the need for the southern elevation (that which faces Waxpool Road) as shown on the "Typical Data Center Illustrative Building Elevation" to have a more varied/interesting appearance, we have revised the proposal to include additional building materials, additional horizontal and vertical lines, and additional color on the southern elevation to create more contrast and visual interest. In fact, since the Commission spoke positively regarding the northern elevation, the southern elevation has now been designed to closely resemble the northern elevation.

Traffic Signal

The provision of a fair share contribution toward the installation of a traffic signal at Beaumeade Circle South and the Loudoun County Parkway versus requiring the Applicant to incur the full cost of installing the signal was also discussed at the public hearing. A question was raised about how the fair share calculation was computed, the methodology of which was accepted by the County staff. To clarify the calculation, below is a breakdown of the methodology.

Estimated Cost of Signal: \$300,000

At 100% Data Center Use, site trip generation contribution is 15% at the intersection.
 $15\% \text{ of } \$300,000 = \$45,000.$

At 150,000 sf office (max allowed), 180,000 warehouse/flex and 505,000 data center which represents the estimated "highest" hypothetical trip generation scenario, site trip contribution is 29% at the intersection.
 $29\% \text{ of } \$300,000 = \$87,000.$

Since 91% of the site is developed with data center now and the future plan is between that and 100% data center, our proposed fair share contribution envisions an up front contribution of \$45,000 no matter how much data center is constructed in Building B.

Beyond that, since Building B square footage is not at total build-out, we propose additional contributions of \$0.28 per square foot for any other square footage added over that which will exist on campus after the construction of Building B to a total of \$42,000. Note that $\$45,000 + \$42,000 = \$87,000.$

We did work with the County Office of Transportation staff to determine an acceptable methodology. Below is a proposed alternate condition to Proposed Condition 15 which utilizes this calculation.

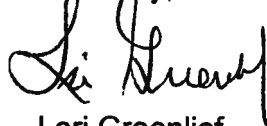
TRANSPORTATION CONTRIBUTION: This application shall be subject to a regional road contribution not to exceed \$87,000.00. Payment of this sum shall be phased pursuant to the following: 1) A one-time regional roadway contribution of \$45,000.00 shall be paid to the County of Loudoun concurrently with the issuance of the first zoning permit for the construction of Building B or for any building expansion which causes construction within the "area of possible building expansion, parking and loading" and/or within the current footprint of Buildings A, C, D/E, or F; and 2) A regional roadway contribution of \$0.28 per gross square foot of development shall be paid to the County of Loudoun concurrently with the issuance of each zoning permit for any office (excluding data center uses), warehouse, or flex/industrial use on the Property, not to exceed a total of \$42,000.00. The \$0.28 per gross square foot of office (excluding data center uses), warehouse, or flex/industrial use shall be in addition to the one-time regional roadway contribution of \$45,000.00. These contributions shall be used for the installation of a traffic signal at the intersection of Beaumeade Circle (South) and Loudoun County Parkway. If a signal at the Beaumeade Circle (South) / Loudoun County Parkway intersection is installed by others prior to payment, the contribution shall be used at the discretion of the Board of Supervisors for other related traffic improvements to said intersection or other public roadway improvements associated with Loudoun County Parkway within one mile of the subject site or to reimburse

Equinix, Response to PC
January 8, 2009
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whomever installed the signal. These contributions shall escalate annually from the base year of 2009 and shall be adjusted effective each January 1st thereafter based on the Consumer Price index for All Urban Consumers (CPI-U) 1982-1984 = 100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.

For your information, attached are the powerpoint slides presented at the December 18, 2008 public hearing. Please note that the elevation contained in the powerpoint is the old elevation which has since been revised as described in this letter and submitted to staff. Please feel free to contact me if you have any questions prior to Committee meeting. Thank you.

Sincerely,



Lori Greenlief

cc: Stephen Gardner
Howard Horowitz

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EQUINIX AT A GLANCE



Equinix is the global leader in network neutral colocation and interconnection services

- 10 year old high-tech NASDAQ traded company
- Supporting over 2,000 customers in 41 data centers in 10 countries
- Provides mission-critical infrastructure for customers such as leading internet content providers, financial service firms, global enterprises, internet service providers, search engines, and commerce companies
- Access to 300 networks; managing world's largest internet peering points

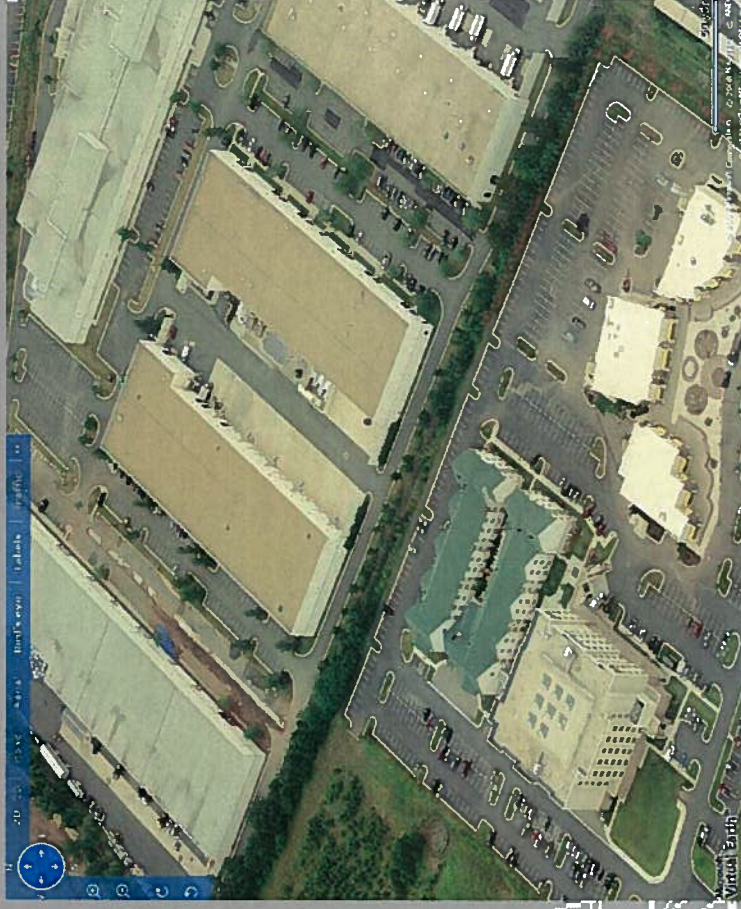
EQUINIX ASHBURN CAMPUS



- 478,000 sq ft in 5 IBX datacenters
- Most recent 2006 SPEX approval allowed improvements to the site totaling a construction investment of approximately \$140 million
- 500+ customers in Ashburn campus
- 100 employees in Northern Virginia; 72 employees on the Ashburn Campus



SITE CONTEXT



- Beaumeade Park - 10 sites developed with flex industrial/light industrial buildings, 126 commercial condos and 66 acres of vacant land
- Retail/Commercial uses to the south including Embassy Suites Hotel at 75 feet in height

PROPOSED PLAN



EQUINIX



- Same concept as prior approval
- Request for additional square footage. Flexibility is critical in this industry.
- Zoning process vs by-right – predictability and commitments
- Proffered to reduce potential commercial office SF to reduce transportation impacts and maintain integrity of uses in Beaumeade Industrial Park
- Data center low traffic generator compared to by-right uses

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BUILDING DESIGN

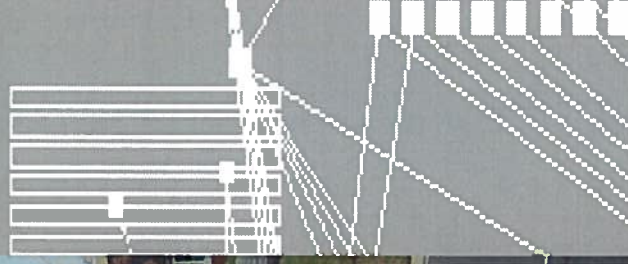


- Worked with staff on design characteristics and height
- Proffered to concept of varied heights, textures, materials for any future buildings on the site

Context



Context



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McGUIREWOODS

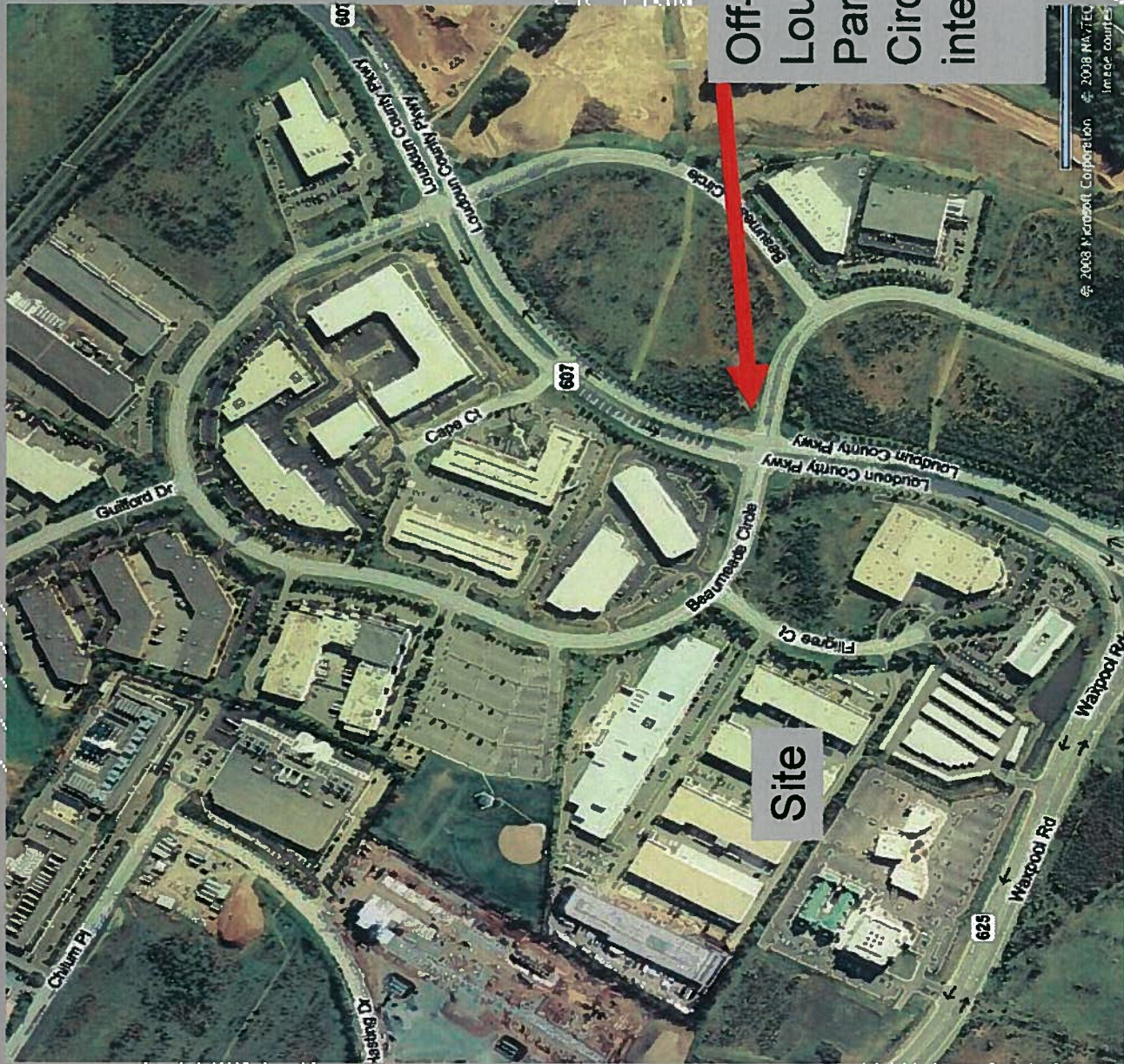
Context

EQUINIX



McGUIREWoods

TRAFFIC SIGNAL



Off-site location of
Loudoun County
Parkway / Beaumeade
Circle (south)
intersection

FAIRSHARE CONTRIBUTION



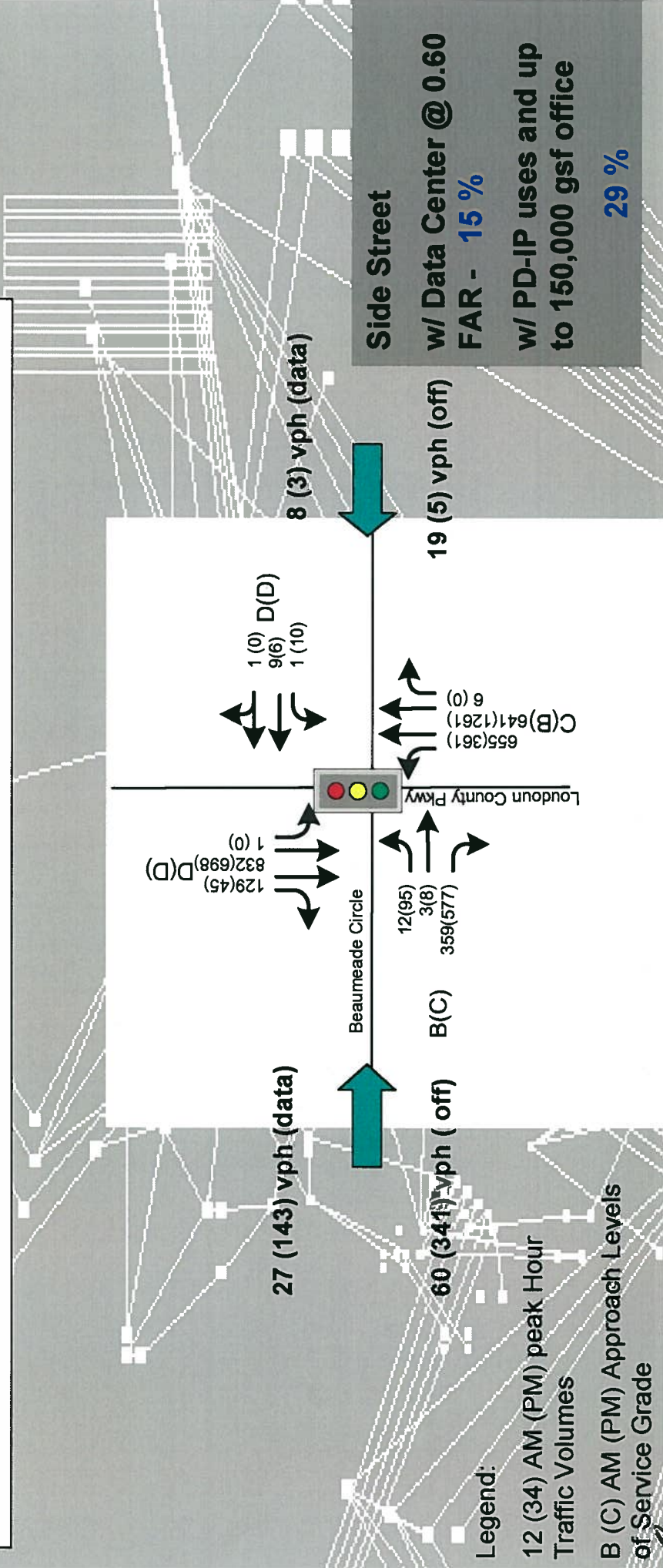
- Condition as proposed requires Equinix to install the signal at this offsite intersection.
- The proposed use will not cause the level of service at the intersection to fail. The level of service is already failing at this offsite intersection today because of existing through traffic volumes on Loudoun County Parkway which inhibit left turns out of Beaumeade Circle.
- Data centers have a much lower trip generation rate than any of the by-right uses currently within Beaumeade. With the SF proposed in this SPEX, 91% of the site is already data center.
- This property, even at full build-out with office and some flex/warehouse uses, the site will contribute less than 10% of total intersection volumes at Loudoun County Parkway and less than 29% of the side street traffic.
- Fair Share contribution methodology has been used for this intersection for other applications in the Beaumeade Park.

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FAIRSHARE CALCULATION



- The signal contribution alternative proposed by the Applicant is based on 2 options of development.
- An initial contribution of \$45,000 with any new data center use. A per square foot contribution also included for other uses.
- Fair Share contribution methodology based on side street traffic volumes, a methodology approved by staff.



RESOLUTIONS TO ISSUES



- Submitted proffers which commit to design elements and restriction on amount of commercial office and other trip intensive uses
- Plat changes to per staff to reflect limit on commercial office uses
- Willing to provide fair share contribution for offsite traffic signal
- This proposal will further the economic goals of the county, provide a level of predictability for development of the site and result in a higher standard of design for even by-right uses on the property.

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December 16, 2008

VIA ELECTRONIC MAIL

Stephen Gardner, Project Manager
Loudoun County Department of Planning
1 Harrison Street, Third Floor
Leesburg, VA 20177

RE: ZMAP 2008-0013 & SPEX 2008-0041
Equinix RP II, LLC, Response to Fire and Rescue Note

Dear Mr. Gardner:

I am writing on behalf of the applicant, Equinix RP II, LLC, to indicate that the Applicant agrees to the Fire and Rescue Company suggested contribution as outlined in the note in the conditions dated December 11, 2008.

Best Regards,



Lori Greenlief
McGuireWoods LLP

cc: Howard Horowitz, Equinix RP II, LLC

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